

On June 27, 1931, Gerde, Newman & Co., New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reshipped to the Lange Creamery Co., Kansas City, Mo., and there reworked and reconditioned, under the supervision of this department, so that it comply with the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18803. Adulteration and misbranding of butter. U. S. v. 315 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 24984. I. S. No. 034934. S. No. 3238.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent by weight of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On July 1, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 315 tubs of butter, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Swift & Co., from Mount Vernon, Ill., on or about May 23, 1930, and had been transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product deficient in milk fat had been substituted for butter, which the article purported to be, and in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was labeled butter, and should have contained not less than 80 per cent by weight of milk fat as prescribed by said act.

Swift & Co., Chicago, Ill., entered an appearance and claim of ownership, praying delivery of the product; filed a bond in the sum of \$2,500, and consented to the entry of a decree. On July 26, 1930, judgment of condemnation was entered and it was ordered by the court that the product be delivered to the claimant for reshipment to its plant at Mount Vernon, Ill., that it be reconditioned under the supervision of this department so that it would not violate the provisions of the Federal food and drugs act, and that it be released when so reconditioned.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18804. Misbranding of cottonseed cake screenings. U. S. v. 600 Sacks of Cottonseed Cake Screenings. Consent decree of condemnation. Product released under bond. (F. & D. No. 27118. I. S. No. 23806. S. No. 4922.)

Certain sacks of cottonseed cake screenings from the shipment herein described having been examined and found to contain less than 100 pounds of the article, the weight declared on the label, the matter was reported to the United States attorney for the District of Kansas, by an official of the Kansas State Board of Agriculture.

On or about June 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 600 sacks of the said cottonseed cake screenings, remaining in the original unbroken packages at Morris, Kans., alleging that the article had been shipped by R. L. Hefin (Inc.), Sherman, Tex., on or about May 9, 1931, and had been transported from the State of Texas into the State of Kansas, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "100 Pounds Net * * * Feeders Supply & Mfg. Co., K. C. Mo."

It was alleged in substance in the libel that the article was misbranded in that the sacks were represented to contain 100 pounds net weight, whereas they contained less than 100 pounds net weight.

On June 25, 1931, R. L. Hefin & Co. (Inc), Sherman, Tex., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execu-

tion of a bond in the sum of \$2,000, conditioned in part that it would not be sold or offered for sale in violation of the law and that it be resacked and relabeled to show the true quantity of the contents.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18805. Adulteration and misbranding of canned grapefruit juice. U. S. v. 189 Cases of Canned Grapefruit Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26440. I. S. No. 22049. S. No. 4721.)

Examination of samples of canned grapefruit juice from the shipment herein described having shown that the article contained undeclared added sugar and that the statement of contents appearing on the label was made in terms of weight instead of liquid measure, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On May 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 189 cases of canned grapefruit juice remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Hills Bros. Co., from Clearwater, Fla., on or about February 21, 1931, and had been transported from the State of Florida into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Net Weight 10 Ounces Dromedary Grapefruit Juice Pure Juice of Finest Fruit * * * Packed by The Hills Bros. Co. of Florida Clearwater, Florida."

Adulteration was alleged in the libel for the reason that a substance, grapefruit juice with added sugar, had been substituted for the article.

Misbranding was alleged for the reason that the statements on the label, "Grapefruit Juice" and "Pure Juice," were false and misleading and deceived and misled the purchaser; for the further reason that the article was offered for sale under the distinctive name of another article; and for the further reason that it was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement was made in terms of weight instead of liquid measure.

On July 1, 1931, the Dromedary Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$800, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18806. Adulteration and misbranding of canned grapefruit juice. U. S. v. 87 Cases of Canned Grapefruit Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26410. I. S. No. 22106. S. No. 4712.)

Examination of samples of canned grapefruit juice from the shipment herein described having shown that the article contained undeclared added sugar and that the statement of contents appearing on the label was made in terms of weight instead of liquid measure, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On May 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 87 cases of canned grapefruit juice, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Ariss, Watson and Gault, from Seattle, Wash., on or about March 19, 1931, and had been transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Net Weight 10 Ounces Dromedary Grapefruit Juice. Pure Juice of the Finest Fruit Distributed by the Hills Bros. Co. of Florida, Clearwater, Fla."

Adulteration was alleged in the libel for the reason that a substance, grapefruit juice with added sugar, had been substituted for the article.

Misbranding was alleged for the reason that the statements on the label, "Grapefruit Juice" and "Pure Juice," were false and misleading and deceived and misled the purchaser, since it contained undeclared and added sugar; for the further reason that the product was offered for sale under the